

**Minutes
Bar Harbor Planning Board
May 2, 2007**

Members present: Kay Stevens-Rosa, Chair; Mike Gurtler; Kevin Cochary; Jennifer Booher, Vice-Chair; and Sarah Stanley, Secretary

Also present: Anne Krieg, Planning Director; Erik Piechowicz, Staff Planner; Lee Bragg, Esq., Town Attorney

I. CALL TO ORDER — 5:33 p.m.

II. ADOPTION OF THE AGENDA

Ms. Booher moved to approve the agenda. Mr. Cochary seconded, the Board voted unanimously to approve the agenda.

III. REGULAR BUSINESS

A. Notice of remand from Board of Appeals to Planning Board on Salisbury Woods Subdivision – SD-05-13

Project Location: Seabury Drive, Bar Harbor Tax Map 207, Lot 32

Applicant: Tranquility Bond II, LLC

Mr. Bragg gave the Board a brief overview of the remand process.

Ms. Stevens-Rosa briefly discussed the history of SD-05-13.

The Board discussed how they came to their original decision.

Michael Ross, attorney for the applicant, informed the Board that his client no longer intends to request the modification of standards.

The Board and applicant's representatives discussed the remand at length.

Ms. Krieg explained the process of moving forward regarding this matter to the Board.

John Kelly, an abutter, addressed the Board.

Gregory Moore, an abutter, addressed the Board.

Mr. Cochary moved to review as a sketch plan tonight, set up a site visit, and then conduct completeness / public hearing. Ms. Booher seconded, the Board voted unanimously to approve the motion.

Ms. Booher asked Perry Moore, representative for the applicant, to address the changes in the plan.

Mr. Moore reviewed the changes with the Board. They will withdraw their request for a modification of standard for the distance between buildings.

B. Continuation of a Public Hearing – SP-06-08 Cadillac Management Company, LLC

Project Location: 322, 330 Main Street, Bar Harbor Tax Map 108, Lot 38 and 39

Applicant: Cadillac Management Company, LLC

Application: Expand the existing building by approximately 11,500 SF, 3 floors with a wing and connector piece

Ms. Stevens-Rosa recused herself from the Public Hearing.

Perry Moore, representative for the applicant, reviewed revisions with the Board.

Mr. Bragg stated it would be good practice for the Town to re-notify and re-advertise due to the new parking plan located at 336 Main Street.

The Board discussed the issue of re-notification and determined re-notification was necessary. The public hearing will be noticed and advertised for June 20, 2007.

The Board discussed the revisions and parking plan with the applicant at length and requested the applicant file a formal shared parking application.

Ms. Booher opened the hearing to the public.

Jim Patterson, attorney for an abutter, addressed the Board.

Mary Dudzik, an abutter, addressed the Board.

The Board performed an agenda check at 7:35 and took a 10 minute break at 7:40.

C. Continuation of a Public Hearing – SD -02-14 Pelletier

Project Location: 231 Knox Road, Bar Harbor Tax Map 213, Lot 35

Applicant: John Pelletier

Application: Subdivide the existing lot into 14 individual lots

Greg Johnston, representative for the applicant, requested a continuance.

Ms. Booher moved to continue the public hearing at their May 16, 2007 meeting. Ms. Stanley seconded, the Board voted unanimously to continue the hearing.

D. Public Hearing – SD-06-24 Aunt Molly’s Beach

Project Location: 259 Indian Point Road, Bar Harbor Tax Map 234, Lot 16

Applicant: Jeffrey Salisbury

Application: Create a five lot subdivision

Greg Johnston, representative for the applicant, described the proposed action to the Board.

The Board discussed the application.

Ms. Stanley moved to approve the project as submitted. Mr. Cochary seconded, the Board voted unanimously to approve the application.

E. Public Hearing – SD-06-10 Dawes

Project Location: 120 Seabury Drive, Bar Harbor Tax Map 207, Lot 24

Applicant: Charles and Susan Dawes

Application: Subdivide the existing 6.7 acre lot into two lots.

The Board discussed the continuation of the existing modification of standards pertaining to Seabury Drive.

The Board and applicant discussed the proposed subdivision at length.

John Kelly, an abutter, addressed the Board.

Mr. Gurtler moved to grant the modification of standards for the following reasons; 1) it addresses particular site characteristics, that is it is impossible for the applicant to offer a second means of egress. 2) The continuation of the existing modification of standards. Mr. Cochary seconded, the Board voted unanimously to grant the modification of standards.

The Board discussed the possibility of an easement through the property and decided it was not necessary.

Mr. Gurtler moved to approve the application as presented. Ms. Stanley seconded, the Board voted unanimously to approve the application.

F. Continuation of a Sketch Plan Review – SD-06-21 Mill Brook Hollow

Project Location: Mill Brook Road, Bar Harbor Tax Map 229, Lot 23

Applicant: Everett and Ann White

Application: Create a six lot subdivision

Ms. Stevens-Rosa brought up a possible conflict of interest.

Mr. Gurtler moved to find Ms. Stevens-Rosa did not have a conflict of interest. Ms. Booher seconded, the Board voted unanimously to not find a conflict of interest.

Perry Moore discussed the proposal and requested waivers with the Board.

The Board discussed the requested waivers.

Sam Coplon addressed the Board regarding abutter concerns.

Ms. Stanley moved to grant the requested waivers. Ms. Booher seconded, the Board voted unanimously to grant the waivers.

G. Completeness Review – SD-07-01 Okeden

Project Location: 8 Peach Street, Bar Harbor Tax Map 111, Lot 23

Applicant: Okeden Associates, LLC

Application: Amend the previous subdivision application in 1979 (revised 1981) to partition the former Dwyer (now Okeden Associates, LLC) land into three lots.

Ms. Booher move to continue at their May 16, 2007 meeting. Ms. Stanley seconded, the Board voted unanimously to continue.

H. Sketch Plan Review – SD-06-09 Joel Avila

Project Location: 64 Piedmont Drive, Bar Harbor Tax Map 215, Lot 63

Applicant: Joel Avila

Application: Subdivide the existing 4.7 acre parcel into two lots.

Ms. Booher move to continue at their May 16, 2007 meeting. Mr. Cochary seconded, the Board voted unanimously to continue.

IV. ADMINISTRATIVE REVIEWS

A. Request for shared parking – MIS-07-01 Daniel Price

Project Location: 33 Kennebec Place (Reel Pizza parking lot)

Applicant: Daniel Price

Application: Shared parking proposal between Mr. Price, Eric Olson (Mama DiMatteo's), and St. Saviour's Parrish to support a farmer's market.

Ms. Krieg introduced the project to the Board.

The Board discussed the project with the applicant.

Ms. Booher moved to approve the shared parking request. Ms. Stanley seconded the motion, the Board voted unanimously to approve.

B. Bar Harbor Club Poolhouse: Request for Determination of Major or Minor Modification under §125-58 of the Bar Harbor Land Use Ordinance

Ms. Krieg explained the details of the request to the Board.

Eben Salvatore addressed the Board.

The Board discussed the difference between what was approved and what was built and whether a minor or major site plan review was required.

Mr. Cochary moved for a minor site plan review. Ms. Booher seconded, the Board voted unanimously for a minor review.

V. OTHER BUSINESS

VI. PLANNING DIRECTOR'S REPORT

Ms. Krieg discussed USGS modeling of the Northeast Creek watershed with the Board.

VII. ADJOURNMENT - 9:40 PM

Ms. Stanley moved to adjourn. Mr. Cochary seconded, the Board voted unanimously to adjourn.

Signed as approved:

Sarah Stanley, Secretary
Planning Board, Town of Bar Harbor

Date